

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:15-00135
2:18-00040

DONAVAN HARDISON
also known as "Little Daddy"

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On November 16, 2021, the United States of America appeared by Nicholas M. Miller, Assistant United States Attorney, and the defendant, Donovan Hardison, appeared in person and by his counsel, Timothy J. LaFon, for a hearing on the petition, the first amendment to petition, and the second amendment to petition, seeking revocation of supervised release submitted by United States Probation Officer Patrick M. Fiddler. The defendant commenced concurrent 26-month terms of supervised release in these two actions on August 28, 2020, as more fully set forth in the Supervised Release Revocation and Judgment Order Memorandum Opinion and Order entered by the court on March 3, 2020.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) on January 4, 2021, the defendant possessed, with the intent to distribute, 2.826 grams of fentanyl and 3.672 grams of cocaine base; (2) on January 4, 2021, the defendant possessed a box of .40 caliber ammunition; (3) on May 5, 2021, the defendant possessed a Glock 26 9mm pistol; (4) on September 17, September 29, October 5, and October 19, 2020, the defendant submitted urine specimens which tested positive for marijuana, and on December 28, 2020, the defendant submitted a urine specimen which tested positive for marijuana and cocaine, and on January 13, 2021, the defendant submitted a urine specimen which tested positive for marijuana, cocaine, oxycodone and oxymorphone, and on January 6, 2021, the defendant admitted to the probation officer that he was using marijuana daily and powder cocaine a few times per week; all as set forth in the petition and amendment to petition on supervised release.

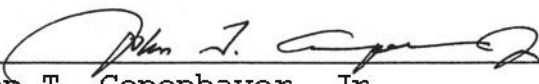
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in these two actions be, and it hereby is, revoked.

It is further ORDERED that the sentencing in this matter be, and hereby is, scheduled for 1:30 p.m. on February 17, 2022.

The defendant was remanded to the custody of the United States Marshal pending sentencing.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: November 18, 2021



John T. Copenhagen, Jr.
Senior United States District Judge